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 California Restaurant Association

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CALIFORNIA RESTAURANT
 ASSOCIATION, a California nonprofit mutual
 benefit corporation,

Plaintiff,

v.

CITY OF EMERYVILLE, a California
 municipal corporation,

Defendant.

Case No. 3:16-cv-06660-JST

**STIPULATION EXTENDING THE PAGE
 LIMITS FOR: (1) CALIFORNIA
 RESTAURANT ASSOCIATION’S
 MEMORANDUM OF POINTS AND
 AUTHORITIES IN SUPPORT OF
 MOTION FOR PRELIMINARY
 INJUNCTION; AND (2) CITY OF
 EMERYVILLE’S OPPOSITION TO
 CRA’S MOTION FOR PRELIMINARY
 INJUNCTION; PROPOSED ORDER**

Plaintiff California Restaurant Association (“Plaintiff”) and Defendant City of Emeryville (“Defendant”) (collectively “the Parties”) hereby stipulate and agree that Plaintiff may file a Memorandum of Points and Authorities in Support of Motion for Preliminary Injunction in excess of the twenty-five (25) page limitation set forth in Civil Local Rule 7-4(b), but not to exceed forty (40) pages in length. Plaintiff and Defendant hereby further stipulate and agree that Defendant may file a Memorandum of Points and Authorities in Opposition to Motion for Preliminary Injunction in excess of the twenty-five (25) page limitation set forth in Civil Local Rule 7-4(b), but not to exceed forty (40) pages in length. This Stipulation is made pursuant to Rules 7-11 and

7-12 of the United States District Court for the Northern District of California.

There is good cause for the Stipulation to extend the page limit given that this case involves several independent causes of action, each of which involves numerous complex and novel legal issues. Each cause of action invokes constitutional challenges, including challenges under the First (Free Speech), Fifth (Takings), and Fourteenth (Equal Protection) Amendments and Article VI, Clause 2 (Supremacy) of the United States Constitution, along with similar claims invoking the California Constitution. Thus, more than 25 pages are needed for the moving and opposition papers to fully address each cause of action.

The parties also hereby stipulate and agree to extend the deadline for Defendant's responsive pleading to January 31 pursuant to Local Rule 6-1.

Finally, the parties hereby stipulate and agree to attempt to reserve March 9 as the hearing date for Plaintiff's Preliminary Injunction and for Defendant's anticipated Motion to Dismiss. The parties also stipulate to the following briefing schedule for Plaintiff's Preliminary Injunction and for Defendant's Motion to Dismiss:

Opening Briefs: January 31, 2017

Opposition Briefs: February 14, 2017

Reply Briefs: February 21, 2017

IT IS SO STIPULATED.

Dated: January 10, 2017

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law corporation

By: /s/ Lukas J. Clary
Lukas J. Clary

Attorneys for Plaintiff
California Restaurant Association

Dated: January 10, 2017

Burke, Williams & Sorensen LLP

By: /s/ J. Leah Castella
J. Leah Castella

Attorneys for Defendant
City of Emeryville

PROPOSED ORDER

Plaintiff's Motion for Extra Pages pursuant to the Parties' Stipulation is granted. Plaintiff may file a memorandum of points and authorities up to 40 pages in support of its motion for preliminary injunction. Defendant may file a memorandum of points and authorities up to 40 pages in opposition to Plaintiff's motion for preliminary injunction.

Dated: _____

Hon. Jon S. Tigar